

## ***SUSAN J. STABILE***

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### ***Home:***

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## ***EMPLOYMENT:***

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### ***University of St. Thomas School of Law (August 2007 – present)***

Professor of Law and Faculty Fellow for Spiritual Life (September 2014-present)

Robert and Marion Short Distinguished Chair in Law (2007-September 2014)

Responsibilities include giving retreats and other programs of spiritual formation to the law school and university community

Past courses at the Law School taught include Pensions and Employee Benefits, Employment Law and Administrative Law. Have also twice taught an Aquinas Honors Seminar in Heroes and Heroism

Fellow, Holloran Center for Ethical Leadership

Advisory Board Member, Terrence J. Murphy Institute for Catholic Thought, Law and Public Policy (until 2014)

### ***St. Catherine's University (January 2014-present)***

Adjunct Instructor in Theology for Masters in Theology Program.

Courses include World Spiritualities, Group Spiritual Direction, Preparing and Offering Group Guided Retreats, and an upcoming course in Theology and Dynamics of the Spiritual Exercises of St. Ignatius

Co-Presenter Monthly "Deepening" Series.

### ***St. John's University School of Law (September 1993 – July 2007)***

Dean George W. Matheson Professor of Law

Taught Catholic Social Thought and the Law, Pension and Employee Benefits, Administrative Law, Introduction to Law, Employment Law and Business Organizations.

Academic Dean, with responsibility for faculty development and review and coordination of academic events at the Law School (July 1, 1998-June 30, 2001)

***New York University School of Law (January 2000 – May 2003)***  
Adjunct Associate Professor of Law, teaching Employee Benefits Law

***Cleary, Gottlieb, Steen & Hamilton (1982-1987 and 1989-1993; Hong Kong and NY)***

Responsible for numerous matters in the firm's employment and employee benefits practice area, including advising on questions relating to employment discrimination, terminations of employment, management and investment of pension plan assets, structuring of executive compensation programs, advising on questions relating to clients' pension benefit and welfare benefit programs, drafting tax-qualified and nonqualified pension and benefit plans, advising on questions relating to Title IV of ERISA and involvement in ERISA aspects of corporate transactions, such as mergers, acquisitions and securities offerings.

***MINISTERIAL TRAINING:***

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Certificate for Completion of Training as a Spiritual Director, May 2006, St. Joseph Renewal Center, Brentwood, NY

Certificate for Completion of Summer Internship in Retreat House Ministry and the Ignatian Spiritual Exercises, Summer 2004, St. Ignatius Retreat House, Manhasset, NY

Certificate for Completion of Internship in Directing the Directed Retreat, May 2007, St. Ignatius Retreat House, Manhasset, NY

Completion of various seminars and workshops relating to the work of spiritual direction and retreat direction in areas such as ministering to the sexually wounded, holistic spirituality, encountering the feminine divine, ministering to those in deep suffering and ministering to GLBT Catholics.

***MINISTERIAL ACTIVITIES:***

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Currently giving retreats and other programs of spiritual formation in parishes and retreat houses in addition to at St. Thomas. (List of retreats offered available on request or on my website)

Adjunct Ministerial Staff, St. Ignatius Retreat House, Manhasset New York, 2005-2007

Spiritual Director

Adult Faith Formation and RCIA Instructor

## **PUBLICATIONS:**

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### **Books in Progress**

Where Else Would I Go? My Buddhist Path Back to God

Spiritual Caffeine For Christian Disciples: Reflections for Daily Prayer

### **Book and Book Supplement**

Women, Law and Religion, with Marie Failing and Elizabeth Schiltz (Ashgate Publishers 2013)

Growing in Love and Wisdom: Tibetan Buddhist Sources for Christian Meditation (Oxford University Press 2012)

Pension and Employee Benefit Law (with John Langbein et al), Foundation Press (Third, Fourth and Fifth Editions, Supplements and Teacher's Manuals)

ERISA Litigation (with Jayne Zanglein), Bureau of National Affairs (first edition published in 2003, second edition in 2005, and Supplements in 2004, 2006 and 2007, third edition in 2008, 2009, 2010 Supplement)

Employment Law Concise Hornbook (with Hodges, Smith and Gely), West (2009)

401(k) Special Supplement: Lessons from Enron, Panel Publications (2002)

### **Law Review Articles**

*Othering and the Law*, 12 University of St. Thomas Law Journal 381 (2016).

*The Contributions of Catholic Social Thought to the Effort to Secure Just Wages for Workers*, 12 Journal of Catholic Social Thought 1 (2015)

*What is Religious "Persecution" in a Pluralist Society*, 59 Villanova Law Review 753 (2014)

*Blame it on Catholic Bishop: The Question of NLRB Jurisdiction over Religious Colleges and Universities*, 39 Pepperdine Law Review 1317 (2013)

*In Defense of a More Coherent Approach to Executive and Rank and File Compensation*, 25 St. John's University Journal of Civil Rights and Economic Development 565 (2011) (Symposium Issue)

*A Catholic Realist Approach to Abortion*, 7 University of St. Thomas Law Journal 340 (2010)

*Vocation, Formation and the Next Generation: The Role of Catholic Law Schools in Light of Catholic Social Thought*, 7 Villanova Journal of Catholic Social Thought 439 (2010) (Symposium Issue)

*The Challenges of Opening a Dialogue Between Catholic and Secular Feminist Legal Theories*, 48 St. John's Journal of Catholic Legal Studies 219 (2009)

*The Practice of Law as Response to God's Call*, 32 Seattle University Law Review 389 (2009).

*One Catholic's Thoughts on Voting for President*, 47 St. John's Journal of Catholic Legal Studies 303 (2008)

*Workers in the Vineyard: Catholic Social Thought and the Workplace*, 5 Villanova Journal of Catholic Social Thought 371 (2008) (Symposium Issue)

*Google Benefits of Google's Benefit*, 3 University of Maryland Journal of Business and Technology Law 97 (2008) (Symposium Issue)

*Can Secular Feminists and Catholic Feminists Work Together to Ease the Conflict between Work and Family*, 4 University of St. Thomas Law Journal 432 (2007) (Symposium Issue)

*When Conscience Clashes with State Law and Policy: Catholic Institutions*, 46 St. John's Journal of Catholic Legal Studies 137 (2007)

*"Poor" Coverage: The Preferential Option for the Poor and Access to Health Care*: 5 Villanova Journal of Catholic Social Thought 125 (2007) (Symposium Issue)

*Is it Time to Admit the Failure of an Employer-Based Pension System?*, 11 Lewis & Clark L. Rev. 305 (Summer 2007) (Symposium Issue)

*State Health Care Initiatives*, St. Thomas Law Review (2007) (Symposium Issue)

*John Courtney Murray and the Abortion Debate*, 4 Villanova Journal of Catholic Social Thought 87 (2007) (Symposium Issue)

*Catholic Legal Theory*, 44 St. John's Journal of Catholic Legal Studies 421 (2005)

*A Catholic Vision of the Corporation*, 4 Seattle Journal for Social Justice 181 (2005)

*State Attempts to Define Religion: The Ramifications of Applying Mandatory Prescription Contraceptive Coverage Statutes to Religious Employers*, 28 Harvard Journal of Law and Public Policy 741 (2005)

*Subsidiarity and the Use of Faith-Based Organizations in the Fight Against Poverty*, 2 Villanova Journal of Catholic Social Thought 313 (2005)

*Using Religion to Promote Corporate Responsibility*, 39 Wake Forest Law Review 839 (Winter/December 2004)

*Religious Employers and Statutory Prescription Contraceptive Coverage Mandates*, 43 *The Catholic Lawyer* 169 (2004)

*I Believed My Employer and Didn't Sell My Company Stock: Is There an ERISA (or '34 Act) Remedy for Me*, 36 *Connecticut Law Review* 385 (2004)

*Sarbanes-Oxley Rules of Professional Responsibility Viewed Through a Sextonian Lens*, 60 *NYU Annual Survey of American Law* 31 (2004)

*The Behavior of Defined Contribution Plan Participants*, 77 *New York University Law Review* 71 (2002) (Symposium Issue: Behavioral Law and Economics)

*Freedom to Choose Unwisely: Congress' Misguided Decision to Leave 401(k) Plan Participants to Their Own Devices*, 11 *Cornell Journal of Law and Public Policy* 361 (2002)

*One for A, Two for B and Four Hundred for C: The Widening Gap in Pay Between Executives and Rank and File Workers*, 36 *University of Michigan Journal of Law Reform* 115 (2002)

*The Use of Personality Tests as a Hiring Tool: Do the Benefits Outweigh the Costs?*, 4 *University of Pennsylvania Journal of Labor and Employment Law* 279 (2002)

*Enron, Global Crossing and Beyond: Implications for Workers*, 76 *St. John's Law Review* 815 (2002) (Enron Symposium Issue)

*Another Look at 401(k) Plan Investments in Employer Securities*, 35 *John Marshall Law Review* 539 (2002) (Employee Benefits Symposium Issue)

*Paternalism Isn't Always a Dirty Word: Can the Law Better Protect Defined Contribution Plan Participants?*, 5 *Employee Rights and Employment Policy Journal* 491 (2001)

*Breach of ERISA Fiduciary Responsibilities: Who's Liable Anyway?*, 5 *Employee Rights and Employment Policy Journal* 135 (2001)

*My Executive Makes More Than Your Executive: Rationalizing Executive Pay in a Global Economy*, 14 *New York International Law Review* 63 (2001)

*Viewing Corporate Executive Compensation Through a Partnership Lens: Does Compensation Reflect an Owner-Manager Agreement on Dividing the Corporate Pie?* 35 *Wake Forest Law Review* 153 (Symposium Issue) (2000)

*Motivating Executives: Does Performance-Based Compensation Positively Affect Managerial Performance?* 2 *University of Pennsylvania Journal of Labor and Employment Law* 227 (1999)

*Pension Plan Investments in Employer Securities: More is Not Always Better* 15 *Yale Journal on Regulation* 61 (1998)

*Is There a Role for Tax Law in Policing Executive Compensation?* 72 *St. John's Law Review* 81 (1998)

*The Role of Congressional Intent in Deciding When Private Rights of Action Should be Implied From Federal Statutes*, 71 Notre Dame Law Review 861 (1996)

*Preemption of State Law by Federal Law: A Task for Congress or the Courts?*, 40 Villanova L. Rev. (1995)

*Protecting Retiree Medical Benefits in Bankruptcy: The Scope of Section 1114 of the Bankruptcy Code*, 14 Cardozo L. Rev. 1911 (1993)

*Tort Remedies for Servicemen Injured by Military Equipment: A Case for Federal Common Law*, 55 N.Y.U. L. Rev. 601 (1980).

### **Book Chapters**

*Women Mystics of the Catholic Church*, in Rose Mary Lemmons (ed.) *Women as Prophet and Servant of Truth* (Rowan and Littlefield: Lexington Books forthcoming)

*Religious Convictions About Homosexuality and the Training of Counseling Professionals: How Should We Treat Religious-Based Opposition to Counseling About Same-Sex Relationship?*, in Holly Lynch, Glenn Cohen, Elizabeth Sepper (eds) *Law, Religion and Health in the United States* (Cambridge University Press forthcoming)

*Can A Catholic Realist Approach Aid in the Efforts to Find Common Ground in Debates About Abortion*, in R. West, J. Murray and M. Esser (eds) *In Search of Common Ground on Abortion: From Culture War to Reproductive Justice* (Ashgate 2014)

*Pensions: Retirement Security in a Post-Enron World*, in P.T. Beatty & R.M.S. Visser (eds.) *Thriving on an Aging Workforce: Strategies for Organizational and Systemic Change* (Krieger 2005)

*Is an ERISA Welfare Plan Involved?*, published as Chapter 10 in *New York University Review of Employee Benefits and Executive Compensation* (LexisNexis 2002)

*Pension Plan Investments*, published as Chapter 11 in *New York University Review of Employee Benefits and Executive Compensation* (LexisNexis 2002)

### **Book Review**

Book Review, Review of Richard H. Hiers, *Women's Rights and the Bible: Implications for Christian Ethics and Social Policy*, *Journal of Law and Religion* (2012)

Book Review, Review of William B. Gould IV, *Labored Relations: Law, Politics and the NLRB*, 14 *Review of Political Economy* 130 (2002)

### **Testimony**

Witness, United States Senate Governmental Affairs Committee Hearings on Retirement Insecurity: 401(k) Crisis at Enron, February 5, 2002,

[http://www.senate.gov/~gov\\_affairs/020502stabile.htm](http://www.senate.gov/~gov_affairs/020502stabile.htm)

## **Weblogs**

Creo en Dios! (<http://susanjoan.wordpress.com>), owner and sole author

Mirror of Justice (<http://www.mirrorofjustice.org/>), a blog devoted to the development of Catholic Legal Theory, contributing author

Famvin (<http://famvin.org/en/>), the website of the worldwide Vincentian family, occasional contributing author

## **Other Publications**

*Where Does God Fit In?* Shambhala Sun, September 2013.

*CST 101: Basic Principles of Catholic Social Thought*, 27 *Review of Business* 7 (Spring 2006)

*Administering 401(k) Plans with Employer Stock Funds: Lessons from Enron*, 6 *Perspectives on Work* 28 (2002)

*Health Care Plan Litigation*, 3 *Employee Rights Quarterly* 13 (December 2002)

*Zero Tolerance Omits Forgiveness*, *Newsday*, May 8, 2002, at p. A31, 32

*Insurance Company Developments: More on Harris Trust v. John Hancock*, in *Practising Law Institute: Pension Plan Investments; Confronting Today's Issues*, 492 *PLI/Tax* 519 (May 2001)

*ERISA's Failure to Adequately Protect Defined-Contribution-Plan Participants*, *Proceedings of the 53rd Annual Meeting of the Industrial Relations Research Association* 204 (2001)

*Limited Liability Companies: The Perfect Business Form?*, 46 *Nassau Lawyer* 1 (Mar. 1998)

*Mortgage Brokers Receiving Premium Pricing: Whose Agent is He Anyway?* 25 *New York Real Property Law Journal* 47 (1997)

*Beyond Varsity v. Howe: What Will the Fallout Be?*, in *Practising Law Institute: Pension Plan Investments: ERISA Litigation*, 397 *PLI/Tax* 859 (May 1997)

*The Employer as Fiduciary: Settlor v. Fiduciary Functions*, in *Practising Law Institute: Pension Plan Investments*, 381 *PLI/Tax* 153 (May 1996)

Symposium: *AIDs, Insurance and the ADA* (Introductory Remarks), 10 *St. John's L. Leg. Comm.* 533 (1995)

*Fiduciary Standards* (with Jeff Fahs), in Practising Law Institute: Pension Plan Investments, 366 PLI/Tax 43 (Apr.-May 1995)

Symposium: *20 Years After ERISA* (Concluding Remarks), 68 S. John's Law Review 481 (1994)

*Selected Issues Respecting Stock Based Compensation Schemes* (with Arthur H. Kohn, A. Richard Susko and Alan S. Wilmit), in Practising Law Institute: 24th Annual Institute on Securities Regulation, 792 PLI/Corp. 681 (Nov. 1992)

Prepared exhibit and authored pamphlet on litigation surrounding the censorship of James Joyce's *Ulysses* in the United States. The exhibit was on display in the United States Courthouse, Foley Square, from November 1984 through April 1985.

### ***PROFESSIONAL AFFILIATIONS:***

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Member of the Board of Directors of City House (whose primary mission is providing spiritual listening to people on the margins)

Member of Spiritual Directors International

Affiliate Senior Fellow, Vincentian Center for Church and Society

Research Fellow, New York University Center for Labor and Employment Law

Editorial Board Member, Employee Rights and Employment Policy Journal

Member of the American Bar Association and the ABA Sections on Labor and Employment Law and Corporations; member of Employee Benefits Committee of Labor and Employment Law Section.

Member of the American Association of Law Schools Section on Labor and Employment Law and Section on Employee Benefits (Past Chair of Section on Employee Benefits)  
Advisory Board, John Marshall School of Law Graduate Program in Employee Benefits (2003-2005)

### ***EDUCATION:***

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#### ***New York University School of Law, J.D. 1982***

Editor-in-Chief, New York University Law Review

Order of the Coif

Paul D. Kaufman Memorial Award for Outstanding Law Review Note

John Norton Pomeroy Moot Court Advocacy Award

#### ***Georgetown University, B.A. 1979***

*Cum laude*; major in Honors English and minor in Philosophy